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19 UNITED STATES DISTRICT COURT  
20 FOR THE CENTRAL DISTRICT OF CALIFORNIA  
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22 WILLIAM B. COWEN, Regional  
23 Director of Region 21 of the National  
24 Labor Relations Board, for and on  
25 behalf of the NATIONAL LABOR  
26 RELATIONS BOARD,

27 Petitioner,

28 v.

JACMAR FOODSERVICE  
DISTRIBUTION,

Respondent.

Civil No. 2:17-CV-03929

STIPULATION OF DISMISSAL WITH  
PREJUDICE

Judge: Honorable Dolly M. Gee

Courtroom: 8C, 8<sup>th</sup> Floor, First Street  
Courthouse

No hearing date requested

Background

1           1. On May 25, 2017, Petitioner William B. Cowen, Regional Director of  
2 Region 21 of the National Labor Relations Board (herein NLRB), for and on  
3 behalf of the NLRB, petitioned the Court for a temporary injunction in this matter  
4 under 29 U.S.C. Sec. 160(j)(herein Petition), pending final determination of the  
5 charges filed with the NLRB by Food, Industrial & Beverage Warehouse, Drivers  
6 and Clerical Employees, Teamsters Local 630; International Brotherhood of  
7 Teamsters (herein Union), against Jacmar Foodservice Distribution (herein  
8 Respondent).

9           2. On June 2, 2017, Respondent filed its Opposition to the Petition.

10          3. On June 9, 2017, Petitioner filed its Reply to Respondent's Opposition to  
11 the Petition.

12          4. A hearing before the Court regarding the Petition is currently scheduled  
13 for June 23, 2017.

Recent developments

14          5. On June 20, 2017, Respondent entered into an NLRB informal  
15 settlement agreement resolving the Section 8(a)(1) and (3) unfair labor practice  
16 allegations in the underlying administrative proceeding before the NLRB. On  
17 June 21, 2017, the Union entered into the same informal settlement agreement.  
18 On June 21, 2017, the Regional Director of Region 21 of the NLRB approved the  
19 informal settlement agreement.

Discussion

20          6. The informal settlement agreement signed by all relevant parties renders  
21 the Petition moot.

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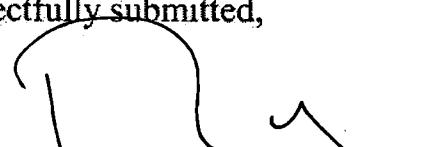
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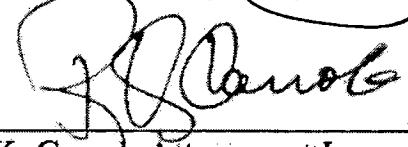
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1                   **Conclusion**  
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7. Accordingly, and under Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil  
Procedure, the parties hereby stipulate to the dismissal of this action, with  
prejudice. Each party is to bear its own fees and costs.

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6                   Respectfully submitted,  
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12                   Dated: 6/21/17  
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By:   
Robert MacKay, Field Attorney  
Attorney for Petitioner  
National Labor Relations Board

By:   
Robert K. Carroll, Attorney at Law  
Attorney for Respondent  
Jacmar Foodservice Distribution